

REMARKS

Claims 1-28 are pending in the application and stand rejected.

Objection to the Abstract

The abstract stands objected to for reciting the term “attribute/value” which the Examiner deems unclear. Applicant respectfully disagrees as the abstract itself makes clear that each attribute/value pair is one by which a named attribute is assigned a value, and thus is it clear that attribute/value means attribute and value. Nonetheless, in the spirit of cooperation, Applicant has amended the abstract to replace “attribute/value” with “attribute and value” and respectfully requests withdrawal of this objection.

Rejection under 35 U.S.C §112

Claims 2-3 and 16-17 stand rejected under 35 U.S.C. 112 as failing to comply with the written description requirement. In particular, the Examiner finds that the claims contain subject matter that was not described in the specification in such a way as to reasonably convey to one skilled in the art that the inventor at the time the application was filed, had possession of the claimed invention, and specifically complains that the recitation of “without use of items” in claims 2 and 16 fails to comply with the written description requirement. Applicant respectfully disagrees but, once again in the spirit of cooperation, has amended claims 2 and 16 to include the limitations of claims 3 and 17, respectively, which set forth the precise actions entailed by the claimed de-referencing without the use of items, and submits that this rejection is now moot.

Claims 1-28 stand rejected under 35 U.S.C. 112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. In particular, the Examiner finds that the recitation of “attribute/value” in claims 1, 14, 15 and 27 renders the claims vague and indefinite. This limitation has been discussed above with respect to the abstract and, just as with the abstract, the claims make clear what is meant by this term. Nonetheless, in the spirit of cooperation, Applicant has amended the claims to recite

“attribute and value” instead of “attribute/value” and respectfully requests withdrawal of this rejection.

The Examiner further finds that the recitation of “de-referencing” and “so far as possible” in claims 2-3 and 16-17 renders these claims vague and indefinite. As mentioned previously, claims 2 and 16 have been amended to include claims 3 and 17, respectively, which now recite precisely what is meant by the claimed de-referencing, so far as possible, an encountered reference without use of items yet to be merged. Applicant thus submits that claims 2 and 16 as currently amended are neither vague nor indefinite and respectfully requests withdrawal of this rejection.

Rejection under 35 U.S.C §101

Claims 1-28 stand rejected under 35 U.S.C. §101 “because claim 1, 14, 15 and 27 do not disclose a tangible medium.” Applicant respectfully submits that there is no requirement for a “tangible *medium*” anywhere in the laws, the rules, or the case law. Applicant is further at a loss as to how else to address the Examiner’s rejection, as the balance of the Examiner’s rejection bears no relevance to Applicant’s claims (e.g. “claiming nonfunctional descriptive material”). Applicant does submit that those skilled in the art will readily discern the useful, concrete and tangible result of the methods of claims 1 and 14, especially in view of the specification which clearly and unambiguously teaches that the invention is related to data description languages such as SQL, XML, etc. Thus, one skilled in the art will immediately appreciate the usefulness of the results of a combination of two attribute sets as per Applicant’s claims, and the transformation of data has already been held to be a useful, concrete and tangible result (see, e.g., *State Street Bank & Trust Co. v. Signature Financial Group Inc.*, 149 F. 3d 1368, 1374, 47 USPQ2d 1596, 1601-02 (Fed. Cir. 1998)). Applicant has, in the spirit of cooperation, amended claim 15 to clearly recite that the claimed computer program product is on a computer readable medium. Claim 27 is directed to a computer apparatus, and Applicant submits that this is certainly a tangible medium.

In view of the above, Applicant respectfully submits that this rejection is not supported by the established case law dealing with computer-implemented inventions (as fully detailed in

MPEP §2106) and respectfully requests the Examiner to kindly reconsider in light of the above and withdraw this rejection.

In view of the above, Applicant submits that the application is now in condition for allowance and respectfully urges the Examiner to pass this case to issue.

The Commissioner is authorized to charge any additional fees which may be required or credit overpayment to deposit account no. 08-2025. In particular, if this response is not timely filed, the Commissioner is authorized to treat this response as including a petition to extend the time period pursuant to 37 CFR 1.136(a) requesting an extension of time of the number of months necessary to make this response timely filed and the petition fee due in connection therewith may be charged to deposit account no. 08-2025.

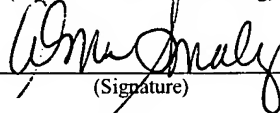
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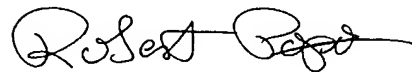


(Signature)

6/19/06

(Date)

Respectfully submitted,



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